

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

110.00280103	Class 435	Subclass 254.110	Examiner C. Kaufman	Art Unit 1646
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10/15/01  
JC996 U.S. PTO  
09/978343

**REQUEST FOR FILING A DIVISIONAL PATENT APPLICATION  
UNDER RULE 1.53(b)**

Assistant Commissioner for Patents  
**Attn: Box PATENT APPLICATION**  
Washington, D.C. 20231

Sir:

This is a request for filing a divisional application under 37 CFR §1.53(b) of Serial No. 09/264,604, Confirmation No. 3471 filed on March 8, 1999, entitled DNA ENCODING CANDIDA ALBICANS INTEGRIN-LIKE PROTEIN (As Amended) by the following inventor(s) (name, address, and citizenship):

- |  |   |
|--|---|
| 1. Margaret K. Hostetter<br>138 Shorefront<br>Milford, CT 06460<br>Citizenship: U.S.A. | 2. Cheryl A. Gale<br>7092 Deerwood Lane North<br>Maple Grove, MN 55369<br>Citizenship: U.S.A. |
|--|---|

1. ☐ Enclosed is a copy of the specification (including claims, abstract, and drawings) as filed in the prior application.
2. ☒ Enclosed is a new specification (including claims and abstract). The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference.
3. ☒ Enclosed is a copy of the Declaration and Power of Attorney filed in the prior application.
4. ☐ Enclosed is a newly executed Declaration and Power of Attorney.
5. ☒ Enclosed are formal drawings (2 sheets).
6. ☒ Cancel in this application claims 1-27 before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)
7. ☒ A Communication Re: Submission of Sequence Listing and a paper copy form of the Sequence Listing are enclosed.

Filed: Herewith

Title: CANDIDA ALBICANS GENE, INTEGRIN-LIKE PROTEIN, ANTIBODIES, AND METHODS OF USE8. X An Information Disclosure Statement and Forms 1449 are enclosed.9. X The filing fee is calculated below:

CLAIMS AS FILED			
NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$740/\$370
Total Claims 21-20 =	1	\$18/\$9	\$9
Independent Claims 5-3 =	2	\$84/\$42	\$84
MULTIPLE DEPENDENT CLAIM PRESENTED		\$280/\$140	\$
FILING FEE:			\$463

10. X A check in the amount of \$ 463.00 is attached.11. X The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-4895.12. X A Verified Statement that this filing is by a small identity (37 CFR §§1.9, 1.27, 1.28) is:  
X already filed in the parent application.  
— attached.13. X This application is being filed by less than all of the inventors named in the prior application. Please delete the names of the following inventor(s) who are not inventors of the invention claimed in the present application:1. Catherine M. Bendel  
98 Hawthorne  
Hopkins, MN 55343  
Citizenship: U.S.A.2. Nian-jun Tao  
99 Florence Street, Apt. 623  
Malden, MA 02148  
Citizenship: People's Republic of China

14. — Priority of foreign application Serial No. \_\_, filed on \_\_ in (country) \_\_ is claimed under 35 U.S.C. §119.

15. X The prior application is assigned of record to Regents of the University of Minnesota.

Filed: Herewith

Title: CANDIDA ALBICANS GENE, INTEGRIN-LIKE PROTEIN, ANTIBODIES, AND METHODS OF USE

16. X The Power of Attorney in the prior application is to:

Mueting, Raasch & Gebhardt, P.A.  
P.O. Box 581415  
Minneapolis, MN 55458-1415  
**Customer Number 26813**

17. X Small Entity Status is entitled to be asserted in the above-identified application.

18. Address all future communications to:

MUETING, RAASCH & GEBHARDT, P.A.  
P.O. Box 581415  
Minneapolis, Minnesota 55458-1415  
**Customer Number 26813**

Attn: Ann M. Mueting  
(Telephone: 612-305-1220)  
(Facsimile: 612-305-1228)

Date: Oct. 15, 2001  
AMM/BJW/mi

Ann M Mueting  
Ann M. Mueting  
Reg. No. 33,977  
Direct Dial (612)305-1217

"Express Mail" mailing label number EL 888271965 US

Date of Deposit October 15, 2001

I hereby certify that this paper and/or fee is/are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Attn: Box PATENT APPLICATION, Washington, D. C. 20231.

Gara L. Ladwig  
Name: Gara L. Ladwig

Applicant(s): Margaret K. Hostetter, et al.

Docket No.: 110.00280103

Title: CANDIDA ALBICANS GENE, INTEGRIN-LIKE PROTEIN, ANTIBODIES, AND METHODS OF USE

Assistant Commissioner for Patents

**BOX PATENT APPLICATION**

Washington, D.C. 20231

We are transmitting the following documents along with this Transmittal Sheet (which is submitted in triplicate):

- ☒ A Request For Filing a **Divisional Application Under Rule 1.53(b)** (3 pgs).  
☒ Divisional Patent Application including:  
☒ Specification (32 consecutively numbered pgs, including 48 claims on 7 consecutively numbered pgs and a 1 pg Abstract);  
☒ Formal Drawings (2 Figures on 2 sheets);  
☒ A copy of the signed Declaration and Power of Attorney from the parent application ( 5 pgs).  
☒ Application Data Sheet ( 4 pgs).  
☒ An itemized return postcard.  
☒ An Information Disclosure Statement (3 pgs), Form 1449 (8 pgs), Copy of 1 cited patent application, Copy of 1 cited U.S. patent, and Copy of 2 cited non-patent documents.  
☒ A Sequence Listing (13 pgs) and Communication re. Submission of Sequence Listing (2 pgs).  
☒ A check in the amount of \$ 463.00 to pay the filing fee, which is calculated below:  
☒ **Small Entity Status is entitled to be asserted in the above-identified application.**

## APPLICATION FILING FEE

	Number of Pending Claims (1)	Claims Included in Basic Filing Fee (2)	Number of Extra Claims (1-2)	Cost per Extra Claim	Fee Required
Total Claims	21	20	1	x \$9 =	\$9
Independent Claims	5	3	2	x \$42 =	\$84
One or More Multiple Dependent Claims Presented? If Yes, Enter \$140 Here →					
Enter Basic Filing Fee (Utility Patent-\$370) Here →					\$370
<b>Total Application Filing Fee</b>					<b>\$463</b>

Please charge any additional fees or credit overpayment to Deposit Account No. 13-4895. Triplicate copies of this sheet are enclosed.

MUETING, RAASCH &amp; GEBHARDT, P.A.

Customer Number: 26813

By: Ann M. Mueeting

Name: Ann M. Mueeting

Reg. No.: 33,977

Direct Dial: 612-305-1217

Facsimile: 612-305-1228

## CERTIFICATE UNDER 37 CFR §1.10:

"Express Mail" mailing label number: EL 888271965 USDate of Deposit: October 15, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Attn: Box PATENT APPLICATION, Washington, D.C. 20231.

By: Gara L. Ladwig

Name: Gara L. Ladwig

(SMALL ENTITY TRANSMITTAL UNDER RULE 1.10)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Hostetter et al. ) Group Art Unit: Unknown  
)  
Serial No.: Unknown )  
(Parent: 09/264,604) ) Examiner: Unknown  
)  
Filed: Herewith )  
(Parent: 03/08/99) )  
)  
*For:* CANDIDA ALBICANS GENE, INTEGRIN-LIKE PROTEIN, ANTIBODIES,  
AND METHODS OF USE

COMMUNICATION RE: SUBMISSION OF SEQUENCE LISTING

Assistant Commissioner for Patents  
Attn: BOX PATENT APPLICATION  
Washington D.C. 20231

Dear Sir:

Applicants submit that the computer readable form of the Sequence Listing of the above-identified patent application is identical with the computer readable form filed August 1, 1996, in Applicants' Application Serial No. 08/642,846, filed May 3, 1996, and with the computer readable form filed March 8, 1999, in Applicants' Application Serial No. 09/264,604, filed March 8, 1999.

**Communication Re: Submission of Sequence Listing**

**Page 2 of 2**

Serial No.: Unknown (Parent: 09/264,604)

Filed: Herewith (Parent: March 8, 1999)

For: CANDIDA ALBICANS GENE, INTEGRIN-LIKE PROTEIN, ANTIBODIES, AND METHODS OF USE

In accordance with 37 C.F.R. §1.821(e), Applicants request the use in the present application of the computer readable form of the Sequence Listing filed August 1, 1996, in Application Serial No. 08/642,846. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the present application. A paper copy of the Sequence Listing, which is identical to the computer readable copy filed in the parent application, is submitted herewith. The Sequence Listing contains no new matter.

Respectfully submitted for  
Hostetter et al.

By  
Mueeting, Raasch & Gebhardt, P.A.  
P.O. Box 581415  
Minneapolis, MN 55458-1415  
Phone: (612) 305-1220  
Facsimile: (612) 305-1228  
**Customer Number 26813**

Date

October 15, 2001

By:

Ann M. Mueeting

Reg. No. 33,977

Direct Dial (612)305-1217

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By:

Gara L. Ladwig  
Name: Gara L. Ladwig